

MAR 16 2011

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
Roanoke Division

JULIA C. DUDLEY, CLERK
BY: *[Signature]*
DEPUTY CLERK

CATHY STATLER,

Plaintiff,

v.

SECRETARY OF THE
DEPARTMENT OF HEALTH
AND HUMAN SERVICES,

Defendant.

Civil Action No. 7:09-cv-00387

Order

By: James C. Turk
Senior United States District Judge

In accordance with the accompanying memorandum opinion, it is hereby

ADJUDGED AND ORDERED

that Plaintiff's motion to set aside the final agency action (Dkt. 19) is **DENIED**, and the Defendant's cross motion for summary judgment (Dkt. 20) is **GRANTED**.

The Clerk of Court is directed to strike the case from the Court's active docket. The Clerk is further directed to send a copy of this Order and accompanying Memorandum Opinion to counsel of record for both parties.

ENTER: This 16th day of March, 2011.

[Signature]

Hon. James C. Turk
Senior United States District Judge